

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re:

DJK RESIDENTIAL LLC, et al.,

Debtors.

Case No.: 08-CV-3738 (LTS)

TRIPLE NET INVESTMENTS IX, LP,

Appellant,

v.

DJK RESIDENTIAL LLC, et al.,

Appellees.

**STIPULATION WITHDRAWING APPEAL**


IT IS HEREBY STIPULATED AND AGREED by and between the undersigned counsel for all parties appearing in this action as follows:

1. The above-captioned appeal is hereby withdrawn with prejudice. See Bankr. Rule 8001(c); Fed. R. App. P. 42(b).
2. Each side will bear its own court costs.
3. This stipulation may be signed in multiple counterparts.
5. Facsimile or electronically reproduced signatures shall suffice in lieu of original signatures for all purposes.

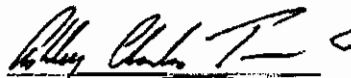
6. This stipulation may be filed with the Court without further notice.

DATED: May 29, 2008  
New York, NY

Respectfully submitted,

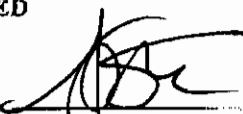
  
ROBERT E. NIES  
Wolff & Samson PC  
140 Broadway, 46<sup>th</sup> Floor  
New York, NY 10005  
Telephone: (212) 973-0572  
E-Mail: [mics@wolffsamson.com](mailto:mics@wolffsamson.com)  
Attorneys for Appellant  
Triple Net Investments IX, LP

DATED: May 28, 2008  
Washington, DC

  
ASHLEY C. FARRISH  
Kirkland & Ellis, LLP  
655 Fifteenth Street, N.W.  
Washington, D.C. 20005-5793  
Telephone: (202) 879-5016  
E-Mail: [aparrish@kirkland.com](mailto:aparrish@kirkland.com)  
Attorneys for Appellees  
DJK Residential LLC, et al.

FOR GOOD CAUSE, IT IS SO ORDERED

DATED: 6/4, 2008

  
The Honorable Laura Taylor Swain  
United States District Judge